

ORIGINAL INTERVENTION



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AZ CORP COMMISSION
DOCUMENT CONTROL

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Arizona Corporation Commission

DOCKETED

DEC - 8 2004

Attorneys for KB Home Phoenix, Inc.
and KB Home Phoenix-Sales, Inc.

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN RE THE MATTER OF THE
APPLICATION OF ARIZONA
UTILITY SUPPLY & SERVICES,
L.L.C., FOR THE TRANSFER OF A
PORTION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY
TO JOHNSON UTILITIES, L.L.C.

ACC Docket No. SW-04002A-02-0837
ACC Docket No. WS-02987A-02-0837

IN RE THE MATTER OF THE
APPLICATION OF ARIZONA
UTILITY SUPPLY & SERVICES,
L.L.C., TO TRANSFER ITS ASSETS
AND CERTIFICATE OF
CONVENIENCE AND NECESSITY
TO JOHNSON UTILITIES, L.L.C.

ACC Docket No. SW-04002A-04-0465
ACC Docket No. WS-02987A-04-0465

MOTION TO INTERVENE

KB Homes Phoenix, Inc. and KB Homes Sales Phoenix, Inc. (collectively "KB"), as owners, builders, and/or developers of certain properties in the Castlegate Subdivision in Queen Creek, Arizona, a subdivision to be served by Johnson Utilities, L.L.C. ("Johnson"), hereby moves to intervene in the above-entitled matters. KB is a customer of Johnson and has further interest in these matters as a developer of and homebuilder in the Castlegate Subdivision, which, by agreement, is to be served by Johnson. KB understands that Johnson has no objection to KB's proposed intervention.

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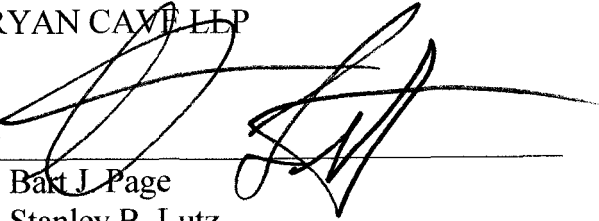
1 Service of documents may be made on counsel for KB:
2

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8 Dated this 8th day of December, 2004.
9

10 BRYAN CAVE LLP

11 By



12 Bart J. Page
13 Stanley B. Lutz
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16 Attorneys for Rigby Water Company

17 **ORIGINAL** and 10 copies filed this
18 8th day of December, 2004, with:

19 Arizona Corporation Commission
20 Utilities Division
21 Docket Control Center
22 1200 W. Washington Street
23 Phoenix, AZ 85007-2996
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1 COPY of the foregoing hand-delivered
2 this 5th day of December, 2004, to:

3 Dwight D. Nodes
4 Assistant Chief Administrative Law Judge
5 Arizona Corporation Commission
6 1200 W. Washington
7 Phoenix, AZ 85007

8 Christopher Kempley
9 Chief Counsel, Legal Division
10 Arizona Corporation Commission
11 1200 W. Washington
12 Phoenix, AZ 85007

13 Mr. Ernest Johnson
14 Director, Utilities Division
15 Arizona Corporation Commission
16 1200 W. Washington
17 Phoenix, AZ 85007-2927

18 COPY of the foregoing mailed this
19 5th day of December, 2004, to:

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